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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/439,890	11/12/1999	TAKESHI SUZUKI	P/3541-3	2252

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EXAMINER

CHUNG, DANIEL J

ART UNIT

PAPER NUMBER

2672

DATE MAILED: 02/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/439,890

Applicant(s)

SUZUKI, TAKESHI

Examiner

Daniel J Chung

Art Unit

2672

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 17 January 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.


Claim(s) objected to: _____.

Claim(s) rejected: 1-11.

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____.

Applicant's arguments filed 1-17-2003 have been fully considered but they are not persuasive. First, Applicant argued that the slide show function of Norris is not the discriminating of a panoramic display mode, because Norris fails to suggest a panoramic display mode for a single image. (See Remarks p.4 line 29-p.5 line 4, p.5 line 9, p.6 line 8-9) However, according to WEBSTER'S II dictionary ("New Riverside University Dictionary"), the term 'panoramic' is defined as "a picture or series of pictures representing a continuous scene". It is noted that the features upon which applicant relies (i.e. panoramic display mode for a single image) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Second, Applicant argued that the cited reference (Norris, Tagami) do not disclose that discriminating a panoramic display mode upon an aspect ratio of the image data. (See Remarks p. 6 line 1-3, p.6 line 16-17) From previous Office Action, Examiner acknowledges that "a panoramic display mode" of Norris is not applicable to recited claims, however such limitation is shown in the teaching of Tagami. (See Office Action p.3 line 7-8) Clearly, Tagami discloses that "discriminating [by indicator "P" on panel] that the image data is a panoramic image when the aspect ratio of the image data [i.e. "2Nh pixels" in Fig 52] differs from that of a display device [i.e. "Nh pixels" in Fig 52]." (See Fig 49-50, Fig 52, Fig 57-63, col 25 line 10-col 26 line 15) Once again, in response to applicant's argument ["Tagami does not rely on an aspect ratio for triggering a panoramic display mode", Remarks p.6 line 16-17] that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., Triggering) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Third, In response to applicant's argument (See Remarks p.5 line 19-24) that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, by incorporating the "panoramic display mode" of Tagami with Norris, the imaging system of Norris would provide to allow an operator to alter the image output range, when image data/system has a wider output range of reproduced images than the display area of a display device (suggested col 3 line 45-48 in Tagami), as such improvement is also advantageously desirable in the teaching of Norris for handling a image data, which has bigger or different size than display area. Regarding claims 4-7, such scroll operation [52,53; arrow in Fig 62] is shown in the teaching of Tagami. (See Fig 62, Fig 49) Regarding claim 7, scaling the image ["panoramic image"] to fit into the size of display unit is well known in the art. Regarding claim 8, Tagami discloses that the displayed image is part of or whole of the image data. (See 81A) Regarding claims 10-11, refer to the rejection for claim1 hereinabove.


JEFFERY BRIER
PRIMARY EXAMINER